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By ECF

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

July 8, 2022

In Re: *New York City Policing During Summer 2020 Demonstrations*,
No. 20 Civ. 8924 (CM) (GWG)
This filing is related to all cases

Your Honor:

Please find annexed one exhibit, designated as “Exhibit A” to the letter defendants filed with the Court tonight in opposition to plaintiffs’ request for Rule 37(a)(5) payment of expenses (Dkt No. 638). The undersigned attempted to file this exhibit on the ECF system while filing defendants’ opposition letter, but technical difficulties prevented the exhibit file from uploading. Defendants have attached the exhibit to this letter instead.

Thank you for your consideration herein.

Respectfully submitted,

Nadine Ibrahim /s

Nadine Ibrahim
Senior Counsel
Special Federal Litigation Division

cc: ALL COUNSEL (*via ECF*)

Exhibit A

From: [Weng, Jenny \(Law\)](#)
To: [remy](#)
Cc: ["Prakash, Swati"](#); [Payne Litigation Team](#); [AG-NYPDLitigation](#); [wood](#); [Gray Legal Team-External](#); [Hernandez Team](#); [rolonlegalteam](#) ; [Sierra Team](#); [Sow-Legal@blhny.com](#); [Nelson, Genevieve \(Law\)](#); [Riordan, Shannon \(LAW\)](#); [Ibrahim, Nadine \(LAW\)](#); [Breslow, Stephanie \(Law\)](#); [Robinson, Amy \(LAW\)](#); [Braun, Daniel \(Law\)](#); [Hamill, Bridget \(LAW\)](#); [Carrasquillo, Glenda](#)
Subject: RE: In re: New York City Policing During Summer 2020 Demonstrations - Amended NYPD and OTM Privilege Logs and Earlier Production
Date: Friday, June 3, 2022 5:39:28 PM
Attachments: [WARNING ATTACHMENT\(S\) MAY CONTAIN MALWARE](#)[RE In Re New York City Policing During Summer - City Production Specifications .msg](#)
[RE In Re New York City Policing During Summer - City Production Specifications.msg](#)

Remy,

We are puzzled by your statement that the production specifications do not represent a “substantive or negotiated agreement.” As reflected in the attached emails, Defendants sent proposed production specifications to Plaintiffs on March 23, 2021. After reviewing, Plaintiffs sent back a revised version with track changes on April 1, 2021. Significantly, Plaintiffs did not object to or propose a modification to the section that explicitly contemplated and allowed for slipsheeting non-responsive family members. On April 16, 2021, Plaintiffs sent an email asking if “we have an agreement about [the revised production specifications]” and Defendants responded that “[w]e agree to your modifications to the production specs.” Plaintiffs had the opportunity to object to this portion of the production specifications and chose not to do so. And Defendants, in reliance upon the parties’ agreement, have been producing in accordance with the production specifications since then. Nonetheless, Defendants agree to re-review the family members that were slipsheeted for non-responsiveness to ensure that they are in fact non-responsive and properly slipsheeted in accordance with the parties’ negotiated specifications. To the extent any family members are actually responsive and non-privileged, Defendants will provide a supplemental production. In addition, Defendants will reproduce the identified standalone documents that were previously slipsheeted for non-responsiveness.

Similarly, Defendants will re-review the non-specific “NR” redactions and remove or modify same if necessary and will properly assert any privilege or court allowed redactions as appropriate.

From: remy green <remy@femmelaw.com>
Sent: Friday, May 27, 2022 2:07 PM
To: Weng, Jenny (Law) <jweng@law.nyc.gov>
Cc: Prakash, Swati <Swati.Prakash@ag.ny.gov>; Carrasquillo, Glenda <gcarasq@law.nyc.gov>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Riordan, Shannon (LAW) <sriordan@law.nyc.gov>; Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; Braun, Daniel (Law) <dbaun@law.nyc.gov>; Hamill, Bridget (LAW) <cbrhamill@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Sow-Legal@blhny.com; Sierra Team <sierrateam@moskovitzlaw.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@kllflaw.com>; Gray Legal Team-External <graylegalteam@dwt.com>; Hernandez Team